

**Proposal by the United States Department of Agriculture  
Regarding Compliance of U.S. Organic Ingredients  
with the Japan Agricultural Standards (JAS)**

1. The United States Department of Agriculture (USDA) proposes to implement *The Measures to Confirm Compliance of Organic Ingredients with JAS Regarding Organic Processed Foods*, attached herein, on an interim basis, as follows:
2. This measure will expire on March 31, 2002, or implementation of an equivalency agreement between the United States and Japan, whichever comes first. Either MAFF or USDA may terminate this interim measure with 30 days notice to either party
3. In accordance with the measure, designation by USDA shall be made at the request of the U.S. certifying organization. As a condition for approval, USDA shall obtain a written pledge which states that the certifier: (1) well understands JAS as expressed in documents 1-4 of the English language version of the JAS on the MAFF web page, located at the following URL: [http://www.maff.go.jp/soshiki/syokuhin/hinshitsu/organic/eng\\_yuki\\_top.htm](http://www.maff.go.jp/soshiki/syokuhin/hinshitsu/organic/eng_yuki_top.htm); (2) is capable of confirming the compliance of ingredients with JAS; (3) agrees to submit documents, such as certification data, when necessary, upon request by MAFF. A copy of this agreement is sent to MAFF.
4. If any question arises regarding the compliance of confirmed ingredients with JAS, MAFF and USDA shall jointly investigate said compliance concerns. In addition, USDA will conduct a quarterly inspection of U.S. designated certifiers to ensure compliance.
5. USDA also agrees when it is recognized that a confirmed ingredient is not in compliance with JAS, USDA makes this information public to prevent further use of the ingredient in organic products marketed in Japan. In addition, if the USDA-designated certifier (2 B)i)) cannot demonstrate the inspection on the confirmed ingredient was conducted properly, USDA shall immediately cancel the designation of the certifier which issued the certificate indicating that the ingredient in question is in compliance with JAS.
6. Only USDA has the legal authority to designate certifiers that are in compliance with its ISO-65 assessment program for this measure.
7. USDA agrees that MAFF may, as appropriate, revise this measure.

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## **The measures to confirm compliance of organic ingredients with the JAS standard regarding organic processed foods**

Recognizing that USDA's request to begin discussions on the equivalency of the National Organic Program (NOP) to JAS has been delayed, the following interim measure will be adopted.

1. This interim measure will expire on March 31, 2002, or implementation of an equivalency agreement between the United States and Japan, whichever comes first.
2. In interpreting the Criteria 1 and 2 for Raw Materials(called 'ingredients' in this document) mentioned in Article 4 of Japanese Agricultural Standard of Organic Agricultural Product Processed Foods, ingredients (including both raw and processed) with no label of grading (JAS mark) may be considered in compliance with the JAS standard by a Registered Certified Organization (i.e. regarded as ingredients attached with a JAS mark) during the interim period indicated in paragraph 1 through the measures described below.
3. A RCO may confirm compliance of ingredients of organic processed foods with the JAS standard by the following measures:

(1) A JAS-certified manufacturer (including a manufacturer who is applying to be certified by a RCO) may submit to the RCO the following types of documents to prove that the ingredients (including all ingredients of the processed ingredients), which do not bear JAS mark are in compliance with the JAS standard. The JAS-certified manufacturer shall issue the documents after bringing the ingredients into its factory or storage (the ingredients to be confirmed shall be specified). When the RCO has made a judgement that these ingredients are in compliance with the JAS standard based on these documents, the RCO notifies thereof the manufacturer by document. After that, the JAS-certified manufacturer may produce organic processed foods using the ingredients(only ones which are specified above).

Examples of the documents mentioned above are as follows:

- A: agricultural products used as ingredients
  - a.) Records of management of fields prior to sowing or planting.
  - b.) Records of management of seed and sowing
  - c.) Records of management of manuring
  - d.) Records of control of noxious animal and plant
  - e.) Records of washing machinery and instruments
  - f.) Records of management of packing
  - g.) Records of management of shipment

- h.) Any other documents needed for confirmation required by the RCO (e.g. records of management of selection, preparation or storage of the agricultural products)
- i.) Certificates issued by the producer of the agricultural products which state the product has been produced through the process indicated by documents a.) through h.)
- j.) Certificates which state the agricultural products are not fumigated when they are imported)

B: processed foods used as ingredients

- a.) Records of bringing their ingredients into the factory or storage
- b.) Records of management of compounding their ingredients
- c.) Records of washing machinery and instruments
- d.) Records of management of packing
- e.) Records of management of shipment
- f.) Any other documents needed for confirmation required by the RCO (e.g. records of management of selection, preparation or storage of the processed foods)
- g.) Certificates issued by the manufacturer of the processed food which state the processed foods have been produced through the process indicated by documents a.) through g.)
- h.) Documents A a.) through A i.) of all ingredients (agricultural products) and documents B a.) through B g.) of all ingredients (processed foods) which are used for the processed food

(2) To confirm compliance with JAS, the following measure may be used by the RCO as a substitute for the confirmation measure using documents indicated in 3. (1) (excluding document j) for agricultural products used as ingredients.

A) When the ingredients are certified by certifiers, (which have been accredited by Agricultural Marketing Service(AMS) under ISO guide 65 or by the International Organic Accreditation Service (IOAS) or are local governmental organizations), other than RCOs, the RCO should use the following documents for confirmation.

- a.) A certificate such as a logo mark which proves that the certifier has certified the ingredients.
- b.) The certification standard of the certifier.
- c.) Where the certification standards of the certifier which do

not meet with or are different from the JAS standard, such documents as mentioned in 3. (1) which prove the compliance of the ingredients with regard to the relevant portions of JAS.

B) When USDA designates certifiers, which have been accredited by Agricultural Marketing Service (AMS) under ISO Guide 65 or by the International Organic Accreditation Service (IOAS), or are local governmental organizations, as well understanding the JAS standard and competent to surely confirm the compliance of ingredients with the JAS standard, the certifiers may issue a certificate to the RCO, the JAS-certified manufacturer, the producer, or the manufacturer of the ingredients which indicates, that the ingredients are in compliance with the JAS standard through measures mentioned in 3(1) or (2)A). The JAS-certified manufacturer is required to submit the certificate to the RCO to have the ingredients confirmed by the RCO. The RCO may rely on the certificate in confirming the compliance. MAFF will allow RCOs to make an agreement with a certifier that the certifier takes all the responsibility for confirming the compliance of ingredients with JAS.

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